



United States Department of Commerce  
National Oceanic and Atmospheric Administration  
National Marine Fisheries Service  
Northeast Region  
55 Great Republic Drive  
Gloucester, MA 01930

Dear Federal Northeast Seafood Dealer,

November 27, 2012

Enclosed are the Federal Northeast seafood dealer permits (NE dealer permits) that were recently issued to you. Your permits identify the fisheries for which you are permitted and include the dates of issue and the dates of expiration of your permits. The attachments with this letter outline some of the mandatory reporting requirements associated with those permits.

### **Federal dealer reporting requirements**

Using an approved electronic reporting system, all federally-permitted Northeast seafood dealers (NE dealers) are required to submit weekly trip-level reports of all receipts and purchases from all vessels.

**Notice to American lobster dealers:** All federally permitted lobster-only dealers are required to provide NMFS with weekly, trip-level electronic reports of all lobster and fish purchased or received for a commercial purpose. For questions on the Federal lobster dealer reporting requirements, contact Scott McNamara at (207) 780-3322 or by email at [scott.mcnamara@noaa.gov](mailto:scott.mcnamara@noaa.gov).

### **Notice to Atlantic tuna dealers:**

Beginning January 1, 2013, NE Dealers with permits for only Atlantic tunas will also be required to electronically report their purchases of BAYS tunas (bigeye, albacore, yellowfin and skipjack tunas) and other highly migratory species (i.e., Atlantic swordfish and sharks). NE Dealers will receive separate notification and additional information about this new requirement. Please contact the HMS Management Division (301-427-8590) or your local port agent with any questions. Tuna dealers who purchase Atlantic Bluefin tuna have separate reporting requirements that are not affected by this change (see enclosure).

Failure to submit the reports required under 50 CFR § 648.7, § 622.5 or § 635.5 may bar the issuance of any NE dealer permit. In addition, failure to report in an accurate and timely fashion may result in enforcement action. Go to: [http://www.nero.noaa.gov/dealer\\_er/](http://www.nero.noaa.gov/dealer_er/) for important information on reporting requirements.

### **Highly Migratory Species (HMS) International Trade Permit (ITP)**

Dealers who internationally trade bluefin tuna, swordfish, southern bluefin tuna, or frozen bigeye tuna internationally are required to obtain an HMS ITP. Information on the HMS ITP can be found at: [www.nmfs.noaa.gov/sfa/hms/ITP/index.htm](http://www.nmfs.noaa.gov/sfa/hms/ITP/index.htm)

Contact your local Field Office for further information about your reporting requirements (list enclosed). The field office list can be found at: [www.nero.noaa.gov](http://www.nero.noaa.gov)

Sincerely,

Ted Hawes  
Section Chief  
Permits and Limited Access Programs



Enclosures

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OF DUPLEX PRINTING**



## National Marine Fisheries Service



### Fact Sheet for Dealers Purchasing Atlantic Bluefin Tuna from U.S. Vessels

**Who is affected?** This document summarizes regulations that affect dealers who receive, purchase, trade for, or barter for Atlantic bluefin tuna from a U.S. fishing vessel.

These regulations do not apply to dealers that import or export Atlantic or Pacific bluefin tuna. For additional information on importing, exporting, or re-exporting of tunas and swordfish, please see the *Fact Sheet for International Trade of Swordfish and Tuna* or [http://www.nmfs.noaa.gov/sfa/hms/ITP/HMS\\_ITP\\_final\\_fact\\_sheet.pdf](http://www.nmfs.noaa.gov/sfa/hms/ITP/HMS_ITP_final_fact_sheet.pdf).

**What is the purpose of the regulations?** The purpose of these regulations is to account for commercial landings of Atlantic bluefin tuna. These data are critical for monitoring quotas, stock assessments and meeting the United States' reporting obligations to the International Commission for the Conservation of Atlantic Tunas.

**Where can I find the regulations?** The regulations may be found by accessing the website, <http://ecfr.gpoaccess.gov>, and selecting Title 50, and searching Part 635. Guides for complying with the regulations for Atlantic tunas, swordfish, sharks, and billfish may be accessed at [www.nmfs.noaa.gov/sfa/hms](http://www.nmfs.noaa.gov/sfa/hms) (under the heading "Compliance Guides") or a copy of the compliance guide may be ordered from 301/427-8503. Any proposed changes to the regulations may be found by searching the Federal Register at <http://www.regulations.gov> with the exact keywords of "50 CFR Part 635." A brief summary of the current key provisions is given below. Please see the full regulatory text for a complete review of the requirements.

#### What do the regulations require?

- Each dealer purchasing or receiving Atlantic bluefin tuna from a vessel (i.e. first receiver) must obtain an Atlantic tunas dealer permit;
- Each Atlantic bluefin tuna must be tagged with a tail tag provided by National Marine Fisheries Service (NMFS);
- Information about landings of each Atlantic bluefin tuna must be recorded on a dealer report form and faxed to NMFS within 24 hours;
- Bi-weekly forms recording each landing and additional economic information must be submitted twice per month.

**How do I obtain an Atlantic tunas dealer permit?** Permits are obtained from the Northeast Regional Office (NERO) of NMFS. Download an application from the website <http://www.nero.noaa.gov/permits/inidlrtrappl.pdf> and submit it with required supporting documentation to NERO at the following address, or write to obtain an

application from: NERO/NMFS Dealer Permits / 55 Great Republic Drive / Gloucester, MA / 01930-2276.

**How much will the permit cost?** The Atlantic tunas dealer permit is issued free of charge.

**What are the reporting requirements?** When a dealer purchases an Atlantic bluefin tuna from a vessel, the dealer must affix a tail tag obtained from NMFS to the tuna, and record the tag number and other required information on an Atlantic bluefin tuna landing report, and FAX the completed report to NMFS (877-883-8001) within 24 hours of purchase. (Dealers may only purchase Atlantic bluefin tuna that are 73 inches curved fork length or greater.) In addition, dealers must submit bi-weekly reports twice per month. One report includes the landings made during the first through the 15<sup>th</sup> of each month, and the second report includes landings made from the 16<sup>th</sup> through the end of the month. Bi-weekly reports for Atlantic bluefin tuna are not required for periods without activity.

**NOTE:** Bluefin tuna *must not* be reported through SAFIS or other electronic reporting methods, even if a dealer has another NERO permit that requires mandatory electronic reporting. Bluefin tuna must be reported as described above.

**How do I obtain reporting documents and tags, and more information about reporting requirements?** Contact the Highly Migratory Species Management Division Office located at NERO/NMFS at the above address or call (978) 281-9140.



## National Marine Fisheries Service (NMFS) Fact Sheet for Dealers: International Trade of Swordfish, Tuna, and Shark Fins

**Who is affected?** Dealers who import, export or re-export bluefin tuna, southern bluefin tuna, swordfish, frozen bigeye tuna or shark fins are affected by these regulations.

**Where can I find the regulations?** The regulations were published in the *Federal Register* on November 17, 2004 (69 FR 67268) and amended on June 2, 2008 (73 FR 31380) and are codified at 50 C.F.R. parts 300 subpart M and 635. They can be accessed at: <http://www.gpoaccess.gov/fr/index.html> or <http://www.nmfs.noaa.gov/sfa/hms/ITP/index.htm>. A brief summary of the key provisions is given below. Please see the full regulatory text for a complete review of the requirements.

**What do the regulations require?** Dealers who import, export, or re-export fresh or frozen bluefin tuna, southern bluefin tuna, swordfish, and/or frozen bigeye tuna (NOT including fresh bigeye tuna) regardless of ocean area of origin, must comply with the following permitting and reporting requirements:

- hold a valid Highly Migratory Species (HMS) International Trade Permit;
- complete and submit consignment documents (statistical documents or catch documents) and re-export certificates (if applicable), including validation for exports and re-exports from the United States, for each shipment of the named species;
- complete and submit summary bi-weekly reports of trade activity for the named species;
- comply with all applicable record-keeping and reporting requirements.

**What is the purpose of the regulations?** The purpose of these regulations is to help track the catch and/or international trade of highly migratory species, thus reducing illegal, unreported and unregulated fishing activities, improving conservation and management measures, and enhancing the scientific evaluation of these stocks.

**How do I obtain an HMS International Trade Permit?** Download an application from the following website: <http://www.nmfs.noaa.gov/sfa/hms/ITP/index.htm>, or write to this address: NMFS Permit Team, Southeast Regional Office, 263 13<sup>th</sup> Ave., South, St. Petersburg, FL, 333701; or call this number: 727/824-5326.

**How much does the permit cost?** The permit costs \$25.00 and may be purchased with a check or money order made out to the U.S. Treasury.

**What are the reporting requirements?** Each import, export, and re-export of the named species (except shark fins) must be accompanied by a consignment document (and re-export certificate when applicable) that has been validated by an approved authority, and the original (imports) or a copy (exports) must be provided to NMFS. Summary reports must be submitted at biweekly intervals, and copies of consignment documents, re-export certificates, and summary reports must be maintained for two years. For further information, including instructions for validation, please see the Compliance Guide at <http://www.nmfs.noaa.gov/sfa/hms/ITP/index.htm>.

**How do I obtain reporting documents?** Reporting documents and complete instructions will be distributed to dealers when they obtain an HMS International Trade Permit. These documents are also posted on the website [www.nmfs.noaa.gov/sfa/hms/ITP/index.htm](http://www.nmfs.noaa.gov/sfa/hms/ITP/index.htm)

**Further Information:** HMS Management Division, Northeast Branch (978) 281-9260

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# Federally Permitted Seafood Dealer Reporting Requirements

Any person or company that purchases or receives for a commercial purpose other than solely for transport on land one of the species or species groups listed in Table 1 from the owner or operator of a vessel permitted by the Northeast Regional Office (NERO) must be issued a seafood dealer permit from NERO and must submit trip-level reports for all species purchased (see Sections 5 and 6 for exceptions) on a weekly basis to NOAA Fisheries Service, using one of the approved electronic means described further below (50 C.F.R. §648.7 & 50 C.F.R. §697.6).

## 1. Submitting Dealer Reports and Corrections

Dealers must submit all reports for a reporting week (Sunday to Saturday) by midnight the following Tuesday. Corrections can be made to reports up to 90 business days following the submission deadline of the initial report. Corrections can be made after that point by contacting the Dealer Reporting Help Desk (978) 281-9212.

## 2. Submitting Negative Reports

If no purchases are made or landings are received during a reporting week (Sunday-Saturday), a negative report must be submitted, by midnight of the following Tuesday. Negative reports may be submitted up to 3 months in advance if you believe that you will not be making any purchases or receiving fish or shellfish during that time period. These reports will subsequently be overwritten with positive reports if you do report purchases.

## 3. Compliance

NOAA Fisheries Service staff will work with dealers to resolve technical and reporting issues; however, it is a dealer's responsibility to report completely, accurately and on time. Dealers not submitting complete and accurate electronic reports within the required timeframe will be considered out of compliance and may be referred to the NOAA Fisheries Office of Law Enforcement for further action.

## 4. Reporting Methods

The acceptable methods for submitting reports electronically are:

- Web-based SAFIS system
- File upload from an existing software application (such as accounting software) used by your business
- File upload using the Bluefin Tuna Data Inc. Trip Ticket software system

For more information about installing and utilizing any of these methods, contact the Dealer Reporting Help Desk at 978-281-9212.

Table 1: Species Requiring a NERO Permit

American Lobster	Monkfish
Atlantic Bluefish	Northeast Multispecies
Atlantic Deep-Sea Red Crab	Ocean Quahog
Atlantic Hagfish	Scup
Atlantic Herring	Skate
Atlantic Mackerel	Spiny Dogfish
Atlantic Sea Scallop	Squid (Illex or Loligo)
Black Sea Bass	Summer Flounder
Butterfish	Surf Clam
Golden Tilefish	

## 5. Required Information

The following information is required to be reported for each purchase or receipt of fish or shellfish from a vessel (exceptions discussed below) regardless of where or how it was harvested (inshore or federal waters), or who harvested it (federally permitted or state-only permitted). This is a requirement for all vessels purchased from, regardless of whether the vessel has a federal permit.

For each trip the dealer must report the following information:

- Your dealer name and permit number
- Vessel name and permit number or hull number (state registration or USCG documentation number) of the vessel from which fish are purchased or received
- Date of purchase or receipt
- Unique trip identifier supplied to the dealer by the vessel operator
  - This is the serial number from the first vessel trip report (VTR) page used by the harvesting vessel for each trip
  - Required for all trips made by those vessels permitted under 50 C.F.R. §648
  - Vessels are not required to provide the trip identifier if they only hold state permits or if they are federally permitted only under other parts of this regulation such as American lobster (50 C.F.R. §697)
  - The trip identifier (VTR serial number) must be submitted with the initial purchase report
- Amount of each species by market category and unit of measure being reported (e.g., pounds, bushels, or count)
- Disposition (e.g., human food, bait, pet food or reduction)
- Price per unit of each species or total value by species per unit by market category
  - Price and disposition may be submitted up to 16 days after purchase or receipt
- Port and state where the fish were landed
- Cage tag numbers for surf clams and ocean quahogs harvested under a NOAA Fisheries Service ITQ allocation

## 6. Out-of-Region Purchases

Dealers purchasing or receiving fish from a vessel landing outside the Northeast Region (Maine to North Carolina) are required to report only those species managed by the Northeast Region (Table 1).

## 7. Additional Requirements

All federally permitted processors (including surf clam and ocean quahog processors) are required to complete and submit all sections of the Annual Processed Products Report, which is mailed out during the first quarter of each year.

*This document does not contain all the regulatory provisions that pertain to dealers and consequently has no legal force or effect. A copy of the complete reporting regulations can be obtained through the Office of the Federal Register or electronically through links on the NERO website: [www.nero.noaa.gov/nero/regs](http://www.nero.noaa.gov/nero/regs)*

Domestic Atlantic bluefin tuna and international trade permit reporting: 978-281-9140  
HMS reporting without electronic reporting: 508-984-0063

Information on dealer electronic reporting  
[http://www.nero.noaa.gov/dealer\\_er/](http://www.nero.noaa.gov/dealer_er/)  
NERO/Fisheries Data Services Division field offices  
<http://www.nero.noaa.gov/fso/portoff.pdf>



NOAA Fisheries Service, Northeast Regional Office  
55 Great Republic Drive  
Gloucester, MA 01930





## Northeast Regional Office / Fisheries Data Services Division



55 Great Republic Drive, Gloucester MA 01930-2276 Phone: (978) 281-9264 Fax: (978) 281-9161

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**Barry Clifford**  
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**Vessel Trip Reporting**  
**Bethany Brosnan**  
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### Northern NEW ENGLAND AREA

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Mailing Address: Building Address:  
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Box 15273 312 Fore St.  
Portland, ME 04112 Portland, ME 04101

**Gloucester MA** 978-281-9338 [Caleb Gilbert](#)  
978-281-9363 [Don Mason](#)  
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55 Great Republic Drive  
[Gloucester, MA](#) 01930-2276

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[East Hampton, NY](#) 11937-2483

### Southern MID-ATLANTIC AREA

**Toms River NJ** 732-818-1311 [Joanne Pellegrino\\*](#)  
732-349-3533 (cell 978-609-7980)  
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26 Main St, Suite O  
[Toms River, NJ](#) 08753-7460

**Cape May NJ** 609-884-2113 [Ingo Fleming](#)  
Fax 609-884-4908 (cell 978-609-8084)

1382 Lafayette St  
[Cape May, NJ](#) 08204-5226

**Hampton VA** 757-723-3369 [Steve Ellis](#)  
Fax 757-728-3947 (cell 978-609-4147)

[George Mattingly](#)  
(cell 978-609-4149)

P.O. Box 69172  
1006N Settlers Landing Rd  
[Hampton, VA](#) 23669-5103

\* Team / State Partner Coordinator

Click on underlined staff name to email or port to go to Google Maps

### Other Contact Information

Web: <http://www.nero.noaa.gov/fso>

Email: [reporting.ne@noaa.gov](mailto:reporting.ne@noaa.gov)

Data Requests Email: [NMFS.NER.Data.Requests@noaa.gov](mailto:NMFS.NER.Data.Requests@noaa.gov)

Dealer Electronic Reporting 978-281-9212  
Dealer Data Corrections 978-675-2160  
Permits 978-282-8438  
Data Requests 978-281-9133

Fish-On-Line / Data Requests 978-281-9133  
IVR Reporting 978-281-9209  
Vessel Trip Reporting 978-281-9246  
Vessel Monitoring System 978-281-9213  
Reporting Forms /Logbooks 978-281-9157

Fishery Regulations 978-281-9315  
Northeast Regional Office 978-281-9300  
Communications / Media 978-281-9175  
Communications / General 978-281-9103